Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

Jianbo Lu — Group Art Unit: 3661

Serial Number: 10/708,681 — Examiner: Weiskopf, Marie

Filed: 03/18/2004

For: METHOD AND APPARATUS FOR CONTROLLING A VEHICLE USING AN OBJECT DETECTION SYSTEM AND BRAKE-STEER

Attorney Docket No: 81095831 (FGT 1913 PA)

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is, on the date shown below, being filed electronically through EFS-Web of the United States Patent and Trademark Office.

Donna Kraft
Signature

Date: 1-12-2007

Donna Kraft

APPELLANTS' REPLY TO EXAMINER'S ANSWER

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Answer dated November 28, 2006, and having a shortened statutory period for response running to and including January 28, 2007, Appellants respond as follows:

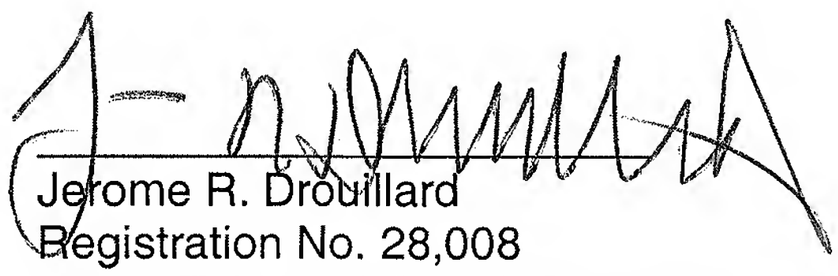
REMARKS

In the "Response to Argument" section of the Examiner's Answer, the Examiner states: "In the Matsuno reference, the vehicle is automatically braked based on a distance between the vehicle and the obstacle". The Examiner further asserts that Matsuno discloses providing distance and relative speed data to a deceleration judging section, a deceleration calculation section, a braking distance judging section and to a first yaw rate calculating section. Finally, the Examiner asserts that: "This shows that the brake-steer signal is indeed proportional to the object distance signal."

Appellants believe that the Examiner is mischaracterizing Matsuno, and the Board's attention is hereby directed to Matsuno at paragraphs 31-39, wherein the role of braking distance is defined as an on/off situation, such that if the Matsuno's system determines that the vehicle will strike an object notwithstanding the application of the brakes, (a calculation for which braking distance is clearly a needed value), Matsuno will proceed to calculate a desired yaw rate in order to permit avoidance, or in other words, to steer around the obstacle.

Matsuno does not generate a brake-steer signal proportional to an object distance signal. Rather, Matsuno teaches the use of an object distance signal as an on/off condition precedent for enablement of a brake-steer routine. This is radically different from Appellants' claimed invention, and Appellants once again reassert that each of the claims remaining in this case is allowable over the Examiner's rejection.

Respectfully submitted,



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